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5	WESTERN DISTRICT OF WASHINGTON AT TACOMA	
6	BY	DEPUTY

Magistrate Judge Theresa L. Fricke

UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

UNITED STATES OF AMERICA,

Plaintiff,

v.

KALEB MICHAEL SCOTT,

Defendant.

CASE NO. 3:22-mj-05045

COMPLAINT for VIOLATION

Title 18, United States Code, Sections
2251(a) and 2251(e)

17 BEFORE, Theresa L. Fricke, United States Magistrate Judge, U. S. Courthouse,
18 Tacoma, Washington.

19 The undersigned complainant being duly sworn states:

20 **COUNT ONE**

21 **(Production of Child Pornography)**

22 Between on or about December 2020 and on or about May 2021, in Clark County,
23 within the Western District of Washington, KALEB MICHAEL SCOTT knowingly
24 employed, used, persuaded, induced, enticed, and coerced a minor to engage in any
25 sexually explicit conduct, and attempted to do so, for the purpose of producing any visual
26 depiction of such conduct and for the purpose of transmitting a live visual depiction of
27 such conduct, knowing and having reason to know that such visual depiction will be
28 transported and transmitted using any means and facility of interstate and foreign

Complaint- 1

United States v. Kaleb Michael Scott / MJ22-

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1 commerce and in and affecting interstate and foreign commerce and mailed, such visual
2 depiction was produced and transmitted using materials that have been mailed, shipped,
3 and transported in and affecting interstate and foreign commerce by any means, including
4 by computer, and such visual depiction has actually been transported and transmitted
5 using any means and facility of interstate and foreign commerce and in and affecting
6 interstate and foreign commerce and mailed.

7

8 All in violation of Title 18, United States Code, Sections 2251(a) and 2251(e).

9

10 And the complainant states that this Complaint is based on the following
11 information:

12 **I. INTRODUCTION**

13 2. I, Chadd Nolan, am a Task Force Officer (TFO) with the United States
14 Department of Homeland Security, Homeland Security Investigations (HSI), in Portland,
15 Oregon. HSI is responsible for enforcing the customs laws, immigration laws, and federal
16 criminal statutes of the United States. I am a law enforcement officer of the United States
17 within the meaning of Section 2510(7) of Title 18, United States Code, and I am
18 authorized by law to conduct investigations and to make arrests for felony offenses. I am
19 also a Detective with the Vancouver Police Department (VPD), where I am assigned to
20 the Digital Evidence Cybercrime Unit (DECU).

21 3. I have been a law enforcement officer for 13 years and was commissioned
22 in 2019 as a TFO for Homeland Security Investigations. I have been involved in
23 investigations of child exploitation and pornography for the past 4.5 years. My duties
24 include the enforcement of federal criminal statutes prohibiting the sexual exploitation of
25 children, including Title 18, United States Code, Sections 2251 through 2259, the Sexual
26 Exploitation of Children Act (SECA), and Title 18, United States Code. I have
27 participated in the execution of search warrants involving child exploitation and/or child
28 pornography offenses, and the search and seizure of computers and other digital devices.

1 My agency is an affiliate member of the Seattle Internet Crimes Against Children (ICAC)
2 Task Force in the Western District of Washington. I work with other federal, state, and
3 local law enforcement personnel in the investigation and prosecution of crimes involving
4 the sexual exploitation of children.

5 4. I make this affidavit from personal knowledge based on my participation in
6 this investigation, including witness interviews by myself and/or other law enforcement
7 agents, communications with others who have personal knowledge of the events and
8 circumstances described herein, and information gained through my training and
9 experience. The information outlined below is provided for the limited purpose of
10 establishing probably cause and does not contain all details or all facts of which I am
11 aware relating to this investigation.

12 **II. FACTS ESTABLISHING PROBABLE CAUSE**

13 5. In September 2021, the National Center for Missing and Exploited Children
14 (NCMEC) notified law enforcement of suspected possession, manufacture, and
15 distribution of child pornography using the application Snapchat. The triggering incident
16 occurred on April 2, 2021 when a Snapchat user uploaded child pornography, that was
17 viewed and verified by Snapchat. Snapchat is an online platform and application for
18 sharing images and digital content. Snapchat headquarters are located in Santa Monica,
19 California. Snapchat users exist all over the world and can access the application from
20 any location. Through investigation, subpoenas, and warrants, law enforcement
21 discovered multiple chats between an identified user and others discussing child
22 pornography and sharing of child pornography images. On October 1, 2021, Detectives
23 from the Easton, Maryland Police Department contacted Vancouver, Washington Police
24 to notify them of an individual suspected of producing child pornography in the
25 Vancouver area.

26 6. The end-user suspected of uploading the images was “oblivionknight19,”
27 identified by search warrants and through IP addresses as KALEB MICHAEL SCOTT
28 from Vancouver, Washington. SCOTT, a 23-year-old male, exchanged messages and

1 child pornography images over Snapchat. In Snapchat chats, SCOTT discussed his abuse
2 of Minor Victim (MV), explaining acts he performed. SCOTT sent child sexual abuse
3 material and child pornography images of MV over Snapchat (discussed below).

4 7. Agents discovered that SCOTT had moved to the Vancouver area in 2018
5 to live with relatives but moved to Utah in August 2021. During an interview with
6 SCOTT'S relative, they disclosed that they still possessed the old phone SCOTT while
7 living with them in Vancouver. SCOTT left the phone with them as payment for money
8 he owed them for outstanding expenses, and never requested the phone to be returned.
9 The relative consented to a search of the phone.

10 8. A digital forensic analysis of SCOTT's Samsung Galaxy phone found 34
11 images of sexual abuse of an infant male located in application caches and the android
12 gallery. The files were created between 12/25/2020 and 07/26/2021, which would be near
13 to the time the images were taken. Two of the images were visually identical to those
14 originally identified in the Snapchat notification involving MV. MV's parents confirmed
15 identity of MV through clothing and items depicted in the images, which agents seized.

16 9. I reviewed the images and confirmed that they contained sexual abuse of
17 MV. A description of two images of MV are as follows:

18 **Image 1-** This image is taken from the point of view of the abuser. It shows MV's
19 face and SCOTT's exposed penis. SCOTT has MV grabbing SCOTT's exposed
20 penis. This image is dated with the creation date of 03/04/21.

21 **Image 2 –** This is one of a series of images dated 04/09/2021 showing SCOTT
22 engaging in sexually conduct with MV. Image 2 shows SCOTT inserting his penis
23 into the buttock of MV as MV is laying on his stomach and hunched over.

24 10. In November 2021, during a recorded, post-Miranda interview, SCOTT
25 admitted to abusing MV1 and taking the photos. SCOTT also admitted to sending the
26 photos to the original target through Snapchat.

11. The analysis of SCOTT's phone also revealed relevant Google searches for child pornography terms. The phone contained photos of pay stubs from SCOTT and other indicia of SCOTT's ownership and control over the phone.

12. In December 2021, Google produced documents pursuant to a warrant the email linked to SCOTT's email of rickrob49@gmail.com. According to investigators who analyzed the Google responsive data, images visually similar to the above-described images were located in SCOTT's "Google Photo Resource".

13. I know from my training and experience that Samsung does not manufacture phones entirely within Washington State.

III. CONCLUSION

Based on the above facts, I respectfully submit that there is probable cause to believe that KALEB MICHAEL SCOTT did knowingly and intentionally produce child pornography, in violation of Title 18, United States Code, Section 2251(a).

Chadd Nolan, Complainant
Task Force Officer,
Department of Homeland Security
Homeland Security Investigations

Based on the Complaint and Affidavit sworn to before me, and subscribed in my presence, the Court hereby finds that there is probable cause to believe the Defendant committed the offense set forth in the Complaint.

Dated this 29th day of March, 2022.

Theresa L. Fricke
THERESA L. FRICKE
United States Magistrate Judge